

**CIVIL ACTION NO.
4:19-CV-00756-CLM**

**PETITION FOR THE AWARD
OF ATTORNEY'S FEES AND COSTS**

COMES NOW Plaintiff's attorney, Kenneth D. Haynes, and requests that this Court award attorney's fees and costs to the prevailing party, Plaintiff, William C. Miles, Sr., as allowed and as follows:

1. The jury trial in the above-referenced matter was held on September 13, 2021. The jury in this matter found on September 15, 2021, that Defendant terminated Plaintiff, William C. Miles, Sr., because of his disability in violation of the Americans with Disabilities Act (“ADA”). The jury awarded Plaintiff \$6,552.00 (Six Thousand Five Hundred Fifty-Two and 00/100 Dollars) as compensation for a net loss of wages and benefits to the date of the verdict.

2. This Honorable Court issued a Final Order (Doc. 83) on September 16,

2021, entering judgment in favor of the Plaintiff and against Defendant Walmart in the amount of \$6,552.00 (Six Thousand Five Hundred Fifty-Two and 00/100 Dollars).

3. Based on this Court's ruling and the jury verdict in this matter, Plaintiff's counsel is entitled to attorneys' fees and costs as the prevailing party in this matter. 42 U.S.C. §§ 2000e-5(k), 1988(b), and 12205.

4. Plaintiff requests this Court award him the following attorneys' fees and litigation expenses:

Attorneys' Fees: \$239,033.00

Litigation Expenses: \$9,851.33

5. In support of this Petition for the Award of Attorney's Fees and Costs, Plaintiff's counsel, Kenneth D. Haynes, has attached his Affidavit as **Exhibit 1**.

6. In support of this Petition for the Award of Attorney's Fees and Costs, Ivey E. Best, Charles E. Guerrier, Brian O. Noble, and Gina D. Coggin have attached their Declarations as **Exhibits 2-5**, and are being offered as evidence supporting their billing rate and time expended in this matter.

7. In support of this Petition for the Award of Attorney's Fees and Costs, Plaintiff has attached hereto and incorporated by reference as **Exhibit 6** a full and accurate description of the hours which Kenneth D. Haynes, with the law firm of Haynes & Haynes, P.C., has devoted to the ADA claim of Plaintiff William C. Miles,

Sr. Such hours spent on this claim were reasonable and necessary to the successful litigation of Plaintiff's claims as indicated further in **Exhibits 1 and 6**.

8. In further support, **Exhibits 7-10** represent the hours incurred by attorneys Ivey E. Best, Charles E. Guerrier, Brian O. Noble, and Gina D. Coggin.

9. Additionally, **Exhibits 11-16** represent the hours of paralegal time incurred on this matter by various paralegals employed by Haynes & Haynes, P.C. during the pendency of this case

10. **Exhibit 17** is a lodestar summary exhibit of attorney and non-attorney time and rates.

11. Further, in support of Plaintiff's Petition, **Exhibits 18-22** represent supporting declarations of Cynthia F. Wilkinson, Candis A. McGowan, Heather N. Leonard, John D. Saxon, and Henry Sherrod.

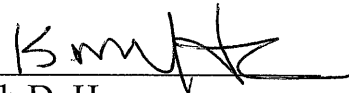
12. **Exhibit 23** represents the entire docket sheet through September 16, 2021 for *Miles v. Walmart Associates, Inc., et al*, 4:19-cv-00756-CLM.

13. **Exhibit 24** represents the consolidated report of litigation expenses through September 16, 2021 and supporting billing records.

WHEREFORE, Plaintiff respectfully requests this Court to award reasonable attorney's fees and costs consistent with **Exhibits 1-24** for the time spent in successfully litigating this matter for Mr. Miles. Plaintiff also requests reimbursement for all reasonable litigation expenses. Plaintiff seeks his taxable costs

through a separate pleading.

Respectfully submitted,


Kenneth D. Haynes

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CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of September, 2021, a true copy of the above and foregoing has been electronically filed with the CM/ECF system which serves notice of the following counsel of record.

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Lynlee Wells Palmer

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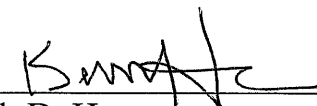
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